

SENATE BILL 3400

By Faulk

AN ACT to amend Tennessee Code Annotated, Title 5, Chapter 1, Part 2; Title 7, Chapter 82, Part 2; Title 64, Chapter 11; Title 64, Chapter 1 and Title 68, Chapter 221, relative to regional utility authorities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 64, Chapter 1, is amended by adding the following sections as a new part thereto:

64-1-1301.

This part shall be known and may be cited as the "Regional Utility Authority Act of 2010".

64-1-1302.

(a) Any county having a charter form of government that is currently served by several utility providers is authorized to create a regional utility authority to provide utility services as determined by the participating governmental entities through interlocal agreements entered into in accordance with title 12, chapter 9, part 1, by and between the county legislative body of the county having a charter form of government and with the legislative bodies of any other county or municipality that are a party to such interlocal agreements.

(b) Any regional utility authority created pursuant to this part shall be a public body corporate and politic acting as an instrumentality and agency of the charter county creating the authority and the authority's participating governmental entities; and that the planning, acquisition, operating and financing of water and wastewater treatment facilities and the provision by such authority of such other utility services and facilities as are authorized by this part, are hereby declared to be for public and governmental purposes and matters of public necessity.

64-1-1303.

Nothing in this part shall be construed to require any transfer of assets, rights, function or service area or responsibility by the charter county creating the authority or any participating governmental entity to the regional utility authority.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.